

<b>Notice of Allowability</b>	<b>Application No.</b> 10/550,262 <b>Examiner</b> ANDREY BELOUsov	<b>Applicant(s)</b> HORENTRUP ET AL. Art Unit 2174
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*-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--*

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTO-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1.  This communication is responsive to 6/1/2009.
2.  The allowed claim(s) is/are 1,3, 5-6, 8, 10-12, 14-15, and 22-25.
3.  Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a)  All    b)  Some\*    c)  None    of the:
    1.  Certified copies of the priority documents have been received.
    2.  Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3.  Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE**

4.  A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5.  CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
  - (a)  including changes required by the Notice of Draftperson's Patent Drawing Review ( PTO-948) attached
    - 1)  hereto or 2)  to Paper No./Mail Date \_\_\_\_\_.
  - (b)  including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6.  DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

#### Attachment(s)

1.  Notice of References Cited (PTO-892)
2.  Notice of Draftperson's Patent Drawing Review (PTO-948)
3.  Information Disclosure Statements (PTO/SB/08),  
Paper No./Mail Date \_\_\_\_\_.
4.  Examiner's Comment Regarding Requirement for Deposit  
of Biological Material
5.  Notice of Informal Patent Application
6.  Interview Summary (PTO-413),  
Paper No./Mail Date 9/9/2009.
7.  Examiner's Amendment/Comment
8.  Examiner's Statement of Reasons for Allowance
9.  Other \_\_\_\_\_.

/Steven P Sax/  
Primary Examiner, Art Unit 2174

***Examiner's Amendment***

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Reitseng Lin on 9/9/2009.

**1. (Currently Amended)** A method for representing menu buttons in a menu for controlling the presentation of video data stored on a storage medium, the menu buttons having one out of three states, the states being normal, selected or activated, wherein the video data are presented on a display according to a given video frame rate, the method comprising the steps of

- retrieving from said storage medium data describing the menu buttons, the data comprising, for each button, image data, wherein said data describing the menu buttons further comprise two identifiers that specify a range of regions per button state, and each of the two identifiers addresses a button image of said sequence of pictures and each button image is addressable through at least one of said identifiers;
- retrieving from said storage medium a value representing a relative rate for animating a sequence of pictures, wherein the rate is relative with respect to the video frame rate and is an integer fraction of the video frame rate;

- setting, according to said retrieved value, the rate for animating sequences of pictures; and
- representing the menu buttons on said display, wherein a menu button is represented by different images corresponding to different image data depending on its state being normal, selected or activated, and wherein the image data representing a particular menu button state includes a sequence of pictures, the sequence of pictures being animated according to said relative rate.

**2. (Cancelled)**

**3. (Previously Presented)** The method as claimed in claim 1, wherein, for a particular state of a menu button, said sequence of pictures representing said button is repeated as long as the button remains in particular state.

**4. (Cancelled)**

**5. (Previously Presented)** The method as claimed in claim 1, wherein a sound or sound sequence is associated to a particular state of a particular menu button, the sound or sound sequence being played back upon entry of the button into the associated state.

**6. (Previously Presented)** The method as claimed in claim 5, wherein the sound associated with a state of a menu button is a speech sequence.

**7. (Cancelled)**

**8. (Previously Presented)** The method as claimed in claim 1, wherein said storage medium comprises a data segment defining a page composition, the data segment containing said data representing the menu buttons and said value representing a rate for animating a sequence of pictures.

**9. (Cancelled)**

**10. (Previously Presented)** An apparatus for displaying a menu on a screen, the menu being controlled by menu data read from a storage medium and the menu comprising menu buttons, the apparatus being adapted for representing the menu buttons as claimed in the method of claim 1.

**11. (Previously Presented)** The apparatus as claimed in claim 10, wherein for a particular state the sequence of pictures representing a button is repeated as long as the button remains in its state.

**12. (Previously Presented)** The apparatus as claimed in claim 10, wherein a sound or sound sequence are associated to a particular state of a particular menu button, the sound or sound sequence being played back upon entry of the button into the associated state.

**13. (Cancelled)**

**14. (Previously Presented)** The apparatus as claimed in claim 10, wherein the apparatus retrieves from said storage medium a data segment defining a menu page composition, the data segment containing said data representing the menu buttons and said value representing a rate for animating a sequence of pictures.

**15. (Previously Presented)** The apparatus as claimed in claim 10, wherein the data segment comprises sound data for a sound associated to a particular state of a particular menu button.

**16-21. (Cancelled)**

**22. (Currently Amended)** The method as claimed in claim 1, wherein said relative rate at which the sequence of pictures is animated is an integer fraction of the video frame rate and is lower than the video frame rate.

**23. (Previously Presented)** The apparatus as claimed in claim 10, wherein the apparatus further comprises means for setting, according to said retrieved value, the rate for animating sequences of pictures.

**24. (Previously Presented)** The apparatus as claimed in claim 10, wherein said relative rate at which the sequence of pictures is animated is an integer fraction of the video frame rate and is lower than the video frame rate.

**25. (Previously Presented)** A storage medium being adapted for being readable by an apparatus as claimed in claim 10.

***Reasons for Allowance***

1. Amendment to include the limitations from the cancelled claims 17, 18, 21 and the feature of the relative rate being an integer fraction of the video frame rate in claim 22 into Independent claim of 1, specifies a method, which now further require:

*wherein said data describing the menu buttons further comprise two identifiers that specify a range of regions per button state, and each of the two identifiers addresses a button image of said sequence of pictures and each button image is addressable through at least one of said identifiers;*  
*wherein the rate is relative with respect to the video frame rate and is an integer fraction of the video frame rate; and*

*setting, according to said retrieved value, the rate for animating sequences of pictures;*

The amendment of independent claims 1 (method) combines the above recited limitations, along with the features already present in the claim.

2. The combined features, both amended and already present, overcome the cited references of Toot, and Franklin, and are not found in the art.

***Conclusion***

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Andrew Belousov whose telephone number is (571) 270-1695. The examiner can normally be reached on Mon-Fri (alternate Fri off) EST. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dennis Chow can be reached on (571) 272-7767. The fax phone number for the organization where this application or proceeding is assigned is 571-273-3800.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Steven P Sax/

Primary Examiner, Art Unit 2174

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9/9/2009